

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION

UNITED STATES OF AMERICA,	)	No. _____
)	
Plaintiff,	)	COUNT ONE:
	)	18 U.S.C. § 1341
v.	)	NMT 5 Years Imprisonment
	)	NMT \$250,000 Fine
ROGER DEAN NEWMAN,	)	NMT 3 Years Supervised Release
[DOB: 09/21/60]	)	Class D Felony
)	
Defendant.	)	COUNTS TWO TO FIVE:
	)	18 U.S.C. § 1343
	)	NMT 30 Years Imprisonment
	)	NMT \$1,000,000 Fine
	)	NMT 5 Years Supervised Release
	)	Class B Felony
	)	Order of Restitution
	)	\$100 Mandatory Special Assessment
	)	Each Count

I N F O R M A T I O N

Introduction
(Scheme to Defraud)

THE UNITED STATES ATTORNEY CHARGES THAT:

1. Between on or about June 19, 2001, and continuing to on or about December 11, 2003, defendant ROGER D. NEWMAN, within the Western District of Missouri, devised a scheme to obtain, convert, and take by fraud money to which he was not entitled, and by such scheme did obtain approximately \$403,000 for his own use.

2. At all times material, defendant ROGER D. NEWMAN was employed as the owner and director of Newman Funeral Home, Unionville, Missouri. In his work as funeral director, ROGER D. NEWMAN had ongoing agreements with several insurance companies to

provide pre-need, funeral planning agreements. When an insured person died, defendant ROGER D. NEWMAN provided funeral services, and submitted a claim to the insured's insurance company for payment.

3. At all times material, defendant ROGER D. NEWMAN owner and director of Newman Funeral Home, Unionville, Missouri, submitted policy death claims to Forethought Insurance Company, Batesville, Indiana, Homesteaders Insurance Company, Des Moines, Iowa, and Missouri Funeral Trust, Inc., St. Louis, and Jefferson City, Missouri. Typically, the defendant submitted policy death claims to the respective insurance companies by either telephone or facsimile transmission. In response, the companies would disperse claim checks to defendant by either mail or direct electronic deposit which were then deposited into various business or personal banking accounts.

4. It was part of the scheme to defraud for defendant ROGER D. NEWMAN to embezzle or fraudulently obtain funds from Forethought Insurance Company, Batesville, Indiana, by intentionally, falsely, and fraudulently submitting policy death claims for persons or insureds who were not deceased. Between on and about April 10, 2002, and December 11, 2003, Forethought Insurance Company paid false death claims to defendant ROGER D. NEWMAN on behalf of 34 individuals, resulting in a loss of \$257,077.12 to the company.

5. It was further part of the scheme to defraud for defendant ROGER D. NEWMAN to embezzle or fraudulently obtain funds from Homesteaders Insurance Company, Des Moines, Iowa, by intentionally, falsely, and fraudulently submitting death claims for persons or insureds who were not deceased. Between on or about July 25, 2002 and November 19, 2003, Homesteader's Insurance Company paid false death claims to defendant ROGER D. NEWMAN on behalf of 19 individuals at a loss of \$127,130.10 to the company.

6. It was further part of the scheme to defraud for defendant ROGER D. NEWMAN to embezzle or fraudulently obtain funds from Missouri Funeral Trust, Inc., St. Louis and Jefferson City, Missouri, by intentionally, falsely and fraudulently submitting death claims for persons or insureds who were not deceased. Between on or about June 6, 2001 and January 10, 2004, Missouri Funeral Trust, Inc. paid false death claims to defendant ROGER D. NEWMAN on behalf of five individuals at a loss of \$19,536.45 to the company.

7. The object of the scheme to defraud was to enrich defendant ROGER D. NEWMAN, by obtaining money and funds owned by Forethought Insurance Company, Homesteaders Insurance Company, and Missouri Funeral Trust, Inc. for his own personal use.

COUNT ONE

1. The government re-alleges and incorporates by reference the allegations in paragraphs one (1) through seven (7) of the Introduction to this Information.

2. On or about February 27, 2002, in the Western District of Missouri, defendant ROGER D. NEWMAN, for the purpose of executing the foregoing scheme, did knowingly transmit by means of facsimile communication, a false and fraudulent insurance policy death claim to Missouri Funeral Trust, Inc., Jefferson City, Missouri, for Lucille Klingsmith, Livingston County, Missouri, insurance contract No. 00-005, in the payment amount of \$7,731.22. Defendant's facsimile did knowingly cause to be delivered by mail, a claim payment check in the amount of \$7,731.22 from Missouri Funeral Trust, Inc., by means of its bank, Central Bank, Jefferson City, Missouri. Said claim payment check was mailed to defendant's funeral home address on or between July 30 and August 1, 2002. Upon receipt, defendant deposited the Central Bank check into his business account at the Farmer's Bank of Northern Missouri, Unionville, Missouri, on August 1, 2002. All in violation of Title 18, United States Code, Section 1341.

COUNT TWO

1. The government re-alleges and incorporates by reference the allegations in paragraphs one (1) through seven (7) of the Introduction of this Information.

2. On or about November 18, 2002, in the Western District of Missouri, defendant ROGER D. NEWMAN, for the purpose of executing the foregoing scheme, did knowingly transmit, and cause to be transmitted by means of electronic or telephonic communication, a false and fraudulent insurance policy death claim to Homesteaders Insurance Company, Des Moines, Iowa, claim No. 291038, for Valda Halley, in the payment amount of \$10,563.25. A Homesteaders draft in that amount was created, was forwarded to defendant, and subsequently deposited into defendant's business checking account at the Farmer's Bank of Northern Missouri, Unionville, Missouri on November 18, 2002, all in violation of Title 18, United States Code, Section 1343.

COUNT THREE

1. The government re-alleges and incorporates by reference the allegations in paragraphs one (1) through seven (7) of the Introduction of this Information.

2. On or about June 24, 2003, in the Western District of Missouri, defendant ROGER D. NEWMAN, for the purpose of executing the foregoing scheme, did knowingly transmit, and cause to be transmitted by means of interstate wire, electronic or telephonic

communication from Unionville, Missouri, a false and fraudulent insurance policy death claim to Homesteaders Insurance Company, Des Moines, Iowa, claim No. 308845, for Olive Williams, in the payment amount of \$11,883.11. A Homesteader's draft in that amount was created and subsequently deposited into defendant's business checking account at the Farmer's Bank of Northern Missouri, Unionville, Missouri, on June 24, 2003, all in violation of Title 18, United States Code, Section 1343.

COUNT FOUR

1. The government re-alleges and incorporates by reference the allegations in paragraphs one (1) through seven (7) of the Introduction of this Information.

2. On or about July 27, 2003, in the Western District of Missouri, defendant ROGER D. NEWMAN, for the purpose of executing the foregoing scheme, did knowingly transmit, and cause to be transmitted by means of interstate wire, electronic or facsimile communication from Unionville, Missouri, a false and fraudulent insurance policy death claim to Forethought Insurance Company, Batesville, Indiana, policy/certification No. 001076323, for Harold Bollin, in the payment amount of \$11,521.31. Said money was forwarded to defendant and subsequently deposited into defendant's business checking account at the Farmer's Bank of Northern Missouri, Unionville, Missouri, on July 28, 2003, by electronic transfer of funds from Forethought Insurance Company's

bank or Bank One of Indianapolis, Indiana, all in violation of Title 18, United States Code, Section 1343.

COUNT FIVE

1. The government re-alleges and incorporates by reference the allegations in paragraphs one (1) through seven (7) of the Introduction of this Information.

2. On or about August 11, 2003, in the Western District of Missouri, defendant ROGER D. NEWMAN, for the purpose of executing the foregoing scheme, did knowingly transmit, and cause to be transmitted by means of interstate wire, electronic or facsimile communication from Unionville, Missouri, a false and fraudulent insurance policy death claim to Forethought Insurance Company, Batesville, Indiana, policy/certificate No. 1076314, for Okal Bollin, in the payment amount of \$10,857.00. Said payment or money was thereafter received by defendant and deposited into his business checking account at the Farmer's Bank of Northern Missouri, Unionville, Missouri, on August 12, 2003. Defendant received the Forethought claim payment by electronic transfer of

funds from Forethought Insurance Company's bank or Bank One of Indianapolis, Indiana, all in violation of Title 18, United States Code, Section 1343.

Todd P. Graves
United States Attorney

By

K. Michael Warner #11880
Assistant United States Attorney

Dated: _____